

PETITION FOR SPECIAL HEARING 85-20-SPH TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commission, and/or Deputy Zoning Commissioner should approve.

"SEE CONTINUATION OF PETITION ATTACHED HERETO"

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:
RICHARD A. MOORE
(Type or Print Name)
Signature
P.O. Box 193
Address
Phoenix, Maryland 21131
City and State

Legal Owner(s):
UNITED STATES FIDELITY AND GUARANTY CO.
(Type or Print Name)
Signature Assistant Vice President
Joseph W. Kennedy
(Type or Print Name) Assistant Secretary
P.O. Box 1138
Address
Baltimore, Maryland 21203
City and State

Attorney for Petitioner:
Stephen J. Nolan and Nolan,
(Type or Print Name) Plumhoff & Williams
Signature
201 W. Pennsylvania Avenue
Address
Towson, Maryland 21204
City and State

Attorney's Telephone No.: 823-7800
BY

ORDERED By The Zoning Commissioner of Baltimore County, this 20th day of July, 1984, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 105, County Office Building in Towson, Baltimore County, on the 23rd day of July, 1984, at 11:30 o'clock A.M.

Cal J. J. J.
Zoning Commissioner of Baltimore County.

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE



PETITION AND SITE PLAN EVALUATION COMMENTS

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
Date: July 17, 1984
Norman E. Gerber, Director
FROM: Office of Planning and Zoning
U.S. Fidelity & Guaranty Co.
SUBJECT: No. 85-20-SPH

A plan was approved by the CRG on 2/29/84.

NEG/JGH/sf

Norman E. Gerber, Director
Office of Planning and Zoning

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE July 16, 1984

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Mr. Stephen J. Nolan
204 West Pennsylvania Avenue
Towson, Maryland 21204

RE: Item NO. 315 - Case NO. 85-20-SPH
United States Fidelity & Guaranty Co.
Special Hearing Petition

Dear Mr. Nolan:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari
Chairman
Zoning Plans Advisory Committee

NBC:bsc

Enclosures

cc: George Wm Stephens, Jr. & Associates, Inc.
303 Allegheny Avenue
Towson, Maryland 21204

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

June 15, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item 315 (1983-1984)
Property Owner: United States Fidelity and Guaranty Co.
N/S Sherwood Rd. 430' W. from centerline Powers Ave.
Acres: Lot 1A, 2.023
Parcel A - Lot 1A, 1.332
Parcel B - Lot 36, 1.211
Parcel C - Lot 36, 0.689
Parcel D, 0.509
Parcel D, 0.083
District: 8th

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

The comments supplied in conjunction with the Zoning Advisory Committee review for Item 282 (1983-1984) are referred to for your consideration.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 315 (1983-1984).

Very truly yours,

GILBERT S. BENSON, P.E., Asst. Chief
Bureau of Public Services

GSB:EAM:FW:188

V-SE Key Sheet
68 & 69 NW 3 & 4 Pos. Sheets
NW 17 & 18 A Topo
42 Tax Map

Encls.

May 28, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item 282 (1983-1984)
Property Owner: United States Fidelity and Guaranty Co.
W/S Prop. Montview Rd. 198' H/W from centerline
Sherwood Ave. and Powers Ave.
Acres: 6.061 District: 8th

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Subdivision Review comments (February 28, 1984) were supplied by the Developers Engineering Division for the development "Sherwood", (Project 84037), of which this property is a part.

This "Sherwood" development was reviewed by the County Review Group February 29, 1984.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 282 (1983-1984).

Very truly yours,

ROBERT A. MORTON, P.E., Chief
Bureau of Public Services

RAM:EAM:FW:188

cc: R. Covahey

V-SE Key Sheet
70 NW 4 Pos. Sheet
NW 18 A Topo
42 Tax Map

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204
NORMAN E. GERBER
DIRECTOR

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Zoning Advisory Meeting of 5/24/84
Item # 315
Property Owner: United States Fidelity & Guaranty Co.
Location: N/S Sherwood Rd. 430' W. of Powers Ave.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- ☒ There are no site planning factors requiring comment.
- ☒ A County Review Group Meeting is required.
- ☒ A County Review Group meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- ☒ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ☒ A record plat will be required and must be recorded prior to issuance of a building permit.
- ☒ The access is not satisfactory.
- ☒ The circulation on this site is not satisfactory.
- ☒ The parking arrangement is not satisfactory.
- ☒ Parking calculations must be shown on the plan.
- ☒ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ☒ Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-88 of the Development Regulations.
- ☒ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☒ The amended Development Plan was approved by the Planning Board on 1/25/84.
- ☒ Landscaping should be provided on this site and shown on the plan.
- ☒ The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is:
- ☒ The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- ☒ Additional comments:

Plan approved by CRG 2-29-84

Eugene A. Bober
Chief, Current Planning and Development

cc: James Howell

APR 23 1985

BUREAU OF ENGINEERING - BALTIMORE COUNTY MD

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the following finding of facts:

Revised 6/15/84

PETITION FOR SPECIAL HEARING
(ATTACHMENT)

permit Parcels A & B on the attached Plat entitled "Sherwood" to be conveyed as part of Lots 1A and 36, respectively, and to permit Parcel C to be conveyed to David E. and Esther Derring and to permit Parcel D to be conveyed to Ann T. White, George M. White, and Beatrice M. LeBrun, Personal Representatives of the Estate of Beatrice M. White, with the understanding that all aforementioned parcels have been utilized as far as density is concerned and may not be considered as separate building lots. Parcels A & B may be utilized for septic system purposes and yard area only for Lots 1A and 36, respectively.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Nicholas Commodari, Zoning Department Date: June 20, 1984
FROM: Charles E. Burnham, Chief Building Plans Review C.E.B.
SUBJECT: Zoning Advisory Committee Meeting of May 22, 1984

Item # 305 See Comments.
Item # 306 " "
Item # 307 " "
Item # 308 " "
Item # 309 " "
Item # 310 " "
Item # 311 Standard Comment
Item # 312 See Comments
Item # 313 Standard Comments
Item # 314 " "
Item # 315 No comment.
Item # 316 Standard Comments.

CRB:es

BUREAU OF ENGINEERING - BALTIMORE COUNTY, MD

BALTIMORE COUNTY DEPARTMENT OF HEALTH

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item # 315, Zoning Advisory Committee Meeting of May 22, 1984
Property Owner: United States Fidelity and Guaranty Co.
Location: N/S Sherwood Road District
Water Supply: private Sewage Disposal: private

COMMENTS ARE AS FOLLOWS:

- () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.
- () Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation/s before work begins.
- () A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety, two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

SS 20 1082 (1)

RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER
N/S Sherwood Rd., 430' W of
the Centerline of Powers
Ave., 8th District : OF BALTIMORE COUNTY

UNITED STATES FIDELITY AND : Case No. 85-20-SPH
GUARANTY CO., Petitioner

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 5th day of July, 1984, a copy of the foregoing Entry of Appearance was mailed to Stephen J. Nolan, Esquire, Nolan, Plumbhoff & Williams, 204 W. Pennsylvania Ave., Towson, MD 21204, Attorney for Petitioner; and Mr. Richard A. Moore, P. O. Box 193, Phoenix, MD 21131, Contract Purchaser.

Peter Max Zimmerman
Peter Max Zimmerman

Zoning Item # 315 Zoning Advisory Committee Meeting of May 22, 1984
Page 2

- () Prior to razing of existing structure/s, petitioner must contact the Division of Water Quality and Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes.
- () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Water Quality and Waste Management at 494-3768.
- () Soil percolation tests (have been must be) conducted.
() The results are valid until
() Soil percolation test results have expired. Petitioner should contact the Division of Environmental Support Services to determine whether additional tests are required.
- () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test
() shall be valid until
() is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.
- () Others: Prior to approval of any subdivision plans, water well applications, or building permits for this site, all pertinent Maryland State and Baltimore County regulations must be met.

Jan J. Forester, Director
BUREAU OF ENVIRONMENTAL SERVICES

SS 20 1283 (2) R

IN RE: PETITION SPECIAL HEARING : BEFORE THE
N/S of Sherwood Road, 430' W : ZONING COMMISSIONER
of the centerline of Powers : OF BALTIMORE COUNTY
Avenue - 8th Election District :
United States Fidelity and : Case No. 85-20-SPH
Guaranty Company, :
Petitioner :

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests amendments to a development plan approved by the County Review Group (CRG) on February 29, 1984 to permit certain combinations of property, as more fully described on Petitioner's Exhibit 1 and below.

The Petitioner, by its Contract Purchaser, Sherwood Joint Venture, and Richard A. Moore, President of Gaylord Brooks Realty, the managing partner of the Contract Purchaser, appeared and testified and was represented by Counsel. Also appearing was Charles Stark, the engineer employed by the Contract Purchaser. Larry Jones, one of the property owners affected by the proposed amendments, appeared as an interested party, not as a Protester.

The proposed amendments would allow Parcel A to be combined with Lot 1A, Parcel B to be combined with Lot 36, Parcel C to be combined with Mr. Jones' property which is adjacent to but not a part of the proposed subdivision, and Parcel D to be conveyed to the Estate of Beatrice M. White, also not a part of the subdivision. The subdivision consists of approximately 179 acres, of which 175 acres are zoned R.C.4 and the remainder is zoned D.R.2. The number of lots permitted by the R.C.4 designation is 35 and the number permitted by the D.R.2 designation is eight. The Petitioner would like to provide sufficient land to Lots 1A and 36 to be used for septic systems and yard area. The subdivision, however, is bifurcated by the zoning line, and due to the limitations placed on each zone, it

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE
CHIEF

June 14, 1984

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: United States Fidelity and Guaranty Co.

Location: N/S Sherwood Road 430' W. from c/l Powers Avenue

Item No.: 315 Zoning Agenda: Meeting of 5/22/84

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- () 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- (x) 7. The Fire Prevention Bureau has no comments at this time. CRG

REVIEWED: 6/14/84 Noted and Approved: George M. Nagand
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb

is necessary to restrict any use on the combination of the properties involved; therefore, this hearing is required.

Parcel A is zoned R.C.4 and Lot 1A is zoned D.R.2. Parcel B is zoned R.C.4 and Lot 36 is zoned D.R.2. Parcels C and D are zoned R.C.4 and would be used for the improvement of ingress and egress for Mr. Jones' property and the property owned by the Estate of Beatrice M. White. Parcel D, which is only 52' x 3', would provide access to the new Montview Court created by the subdivision. Parcel C would add about 70 feet to Mr. Jones' side yard, presently only 20 feet, and also would allow better access to his property.

No building would be allowed and no combinations of property would be considered as separate building lots. The Petitioner would create covenants to restrict the use in the appropriate deeds conveying these properties, note such on the development plan submitted, and enumerate such in restrictive covenants which would also be recorded among the Land Records of Baltimore County.

The Petitioner's intentions are bona fide and in good faith to provide the recipients with added use of their principal lots. There is no attempt to evade the spirit and intent of the Baltimore County Zoning Regulations (BCZR), and there certainly will be no adverse impact on the public health, safety, and welfare of the community.

Pursuant to the advertisement, posting of property, and public hearing on this Petition held, and for the reasons given above, the relief prayed for should be granted as heretofore described.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 26th day of July, 1984, that the amendments to the subdivision plan for "Sherwood" to permit Parcel A to be conveyed to and a part of Lot 1A; Parcel B to be conveyed to and a part of Lot 36; Parcel C to be conveyed to Larry Jones; and Parcel D to be conveyed to Ann T. White, George M. White, and

Beatrice L. LeBrun, personal representatives of the Estate of Beatrice M. White, be approved and, as such, the Petition for Special Hearing is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. All of the aforementioned parcels have been utilized as far as density is concerned and may not be considered as separate building lots.
2. Parcels A and B may be utilized for septic system purposes and yard area only for Lots 1A and 36.
3. Parcels C and D may be utilized for access to the Jones and White properties and for side yard only, where applicable.
4. These restrictions must be placed in all deeds conveying ownership of said properties.
5. Restrictive covenants to the extent described herein must also be recorded among the Land Records of Baltimore County.
6. These restrictions must be noted on the subdivision plan and submitted to the Zoning Office.
7. If Mr. Jones should refuse to accept the offer of Parcel C, the Petitioner shall be permitted to convey said parcel to an alternative lot without the necessity of a further public hearing as more fully explained and described at the public hearing held herein, subject to the approval of the Zoning Commissioner.

[Signature]
Zoning Commissioner of
Baltimore County

cc: Stephen J. Nolan, Esquire
Mr. Larry Jones
People's Counsel

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FROM THE OFFICE OF
GEORGE WILLIAM STEPHENS, JR. & ASSOCIATES, INC.
ENGINEERS
303 ALLEGHENY AVENUE, TOWSON, MARYLAND 21204

DESCRIPTIONS TO ACCOMPANY
PETITION FOR SPECIAL HEARING

DR 2 Portion of Lot 1A

Beginning for the same on the north side of Sherwood Road distant 430 feet measured westerly from the center of Powers Avenue thence binding on the north side of Sherwood Road the two following courses and distances:

- 1) Southwesterly by a line curving to the south with a radius of 830 feet for an arc distance of 108.29 feet (the chord of said arc being South 89° 09' 16" West 108.21 feet)
- 2) South 85° 25' 00" West 269.78 feet thence
- 3) North 49° 35' 00" West 315.12 feet thence
- 4) Northwesterly by a line curving to the west with a radius of 451.39 feet for an arc distance of 179.71 feet (the chord of said arc being North 15° 59' 19" West 178.53 feet) to intersect the zone line between DR 2 and RC 4 zones thence binding on said zone line the three following courses and distances:
- 5) North 85° 25' 00" East 315.12 feet
- 6) South 89° 32' 05" East 114.40 feet and
- 7) South 84° 47' 17" East 127.80 feet thence
- 8) South 32° 56' 46" West 208.37 feet to the place of beginning.

Containing 2.023 Acres of land more or less.

PARCEL A - RC 4 Portion of Lot 1A

Beginning for the same on the zone line between DR 2 and RC 4 zones distant 208.37 feet North 32° 56' 46" East from a point on the north side of Sherwood Road distant 430 feet measured westerly from the center of Powers Avenue thence binding on said zone line the three following courses and distances:

- 1) North 84° 47' 17" West 127.80 feet
- 2) North 89° 32' 05" West 114.40 feet and
- 3) South 85° 25' 00" West 315.10 feet thence
- 4) North 16° 01' 21" East 14.37 feet thence
- 5) North 60° 04' 02" East 386.41 feet thence
- 6) South 57° 03' 14" East 287.54 feet and thence
- 7) South 32° 56' 46" West 44.82 feet to the place of beginning.

Containing 1.332 Acres of land more or less.

Handwritten: 4315
Revised 6/20/84

The Honorable Arnold Jablon
The Honorable Jean M. H. Jung
March 5, 1984
Page 2

Secondly, as an accommodation to existing neighbors, two (2) small parcels are proposed to be conveyed, as shown on the attached sketch. The first parcel is a wedge shaped parcel on the west side of Montview Court, at the northeast corner of the Ryan's property, and this small conveyance to Mr. Ryan would give the Ryan's frontage on the new road, whereas at the present time they do not have frontage on Sherwood Road.

Thirdly, as an accommodation, a small shaded area at the southwest corner of the property is proposed to be conveyed to Mr. & Mrs. David E. Derring, again as an accommodation, and to allow the Derrings to have a more appropriately configured lot.

In each of these cases, the conveyance would be made "net of density", or after the plat has been recorded. Once again, Mr. Moore would appreciate a confirmation from Baltimore County that these accommodation conveyances, which will benefit the neighboring tracts, while doing no detriment to the Sherwood Development, would be permitted as part of the approved CRG.

While I was not present at the CRG, it is my understanding that representatives of current planning were of the opinion that there should be no problem with creation of the two (2) lots at the entrances, in view of the fact that such lots had been allowed on numerous other subdivisions previously. We await word from your office regarding these two (2) lots, as well as the two (2) accommodation conveyances discussed in the letter.

Finally, a small portion of the Sherwood plat showing the proposed lots 1A and 36 is enclosed.

Needless to say, if you have any questions or comments, both our office and Mr. Moore's office, as well as G. W. Stephens & Associates, will be glad to respond.

Respectfully,
Newton A. Williams
Newton A. Williams

NAW:ylm
Enclosures
cc: Mr. James E. Dyer
Ms. Diana Itter
Mr. Eugene A. Bober
Mr. Richard A. Moore

J. EARLE PLUMHOFF
NEWTON A. WILLIAMS
WILLIAM M. HESSON, JR.
THOMAS J. KEMNER
WILLIAM R. ENGLEHART, JR.
STEPHEN J. NOLAN
G. SCOTT BARNHART
ROBERT L. HANLEY, JR.
204 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
TELEPHONE
(301) 623-7800
March 5, 1984

The Honorable Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

The Honorable Jean M. H. Jung
Deputy Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Confirmation of acceptability of inclusion of small RC 4 areas in two (2) DR 2 lots on the north side of Sherwood Road, at the entrance to the Sherwood Development

Dear Commissioner Jablon and Commissioner Jung:

On March 1, 1984 a CRG was held and approved for the Sherwood Development proposed on a primarily RC 4 tract on the north side of Sherwood Road, west of Powers Avenue in the Cockeysville section of Baltimore County.

The purpose of this letter is to confirm several points connected with the Sherwood Development and that CRG approval.

First of all, in response to the Baltimore County preference not to label areas for future development, or to leave unsubdivided areas, Mr. Moore, the contract purchaser, would propose to create lots 36 and 1A flanking on either side the two corners to be created on the north side of Sherwood Avenue by Montview Court. In order to make these lots of a size and configuration comparable to the balance of the RC 4 lots, and indeed comparable to the primarily large lots along Sherwood Road, small sections of RC 4 land would be incorporated in the rear of the lots, but the homes in both cases would be entirely located in the DR 2 zone.

We further understand that there is no practical prospect that these DR 2 lots will be served with utilities, and hence their development as a part of this RC 4 development is very sensible. The inclusion of these small RC 4 areas to make up the balance of the DR 2 lots have been approved in other subdivisions, and Mr. Moore merely wishes a confirmation that they would be approved at this location as well.

NOT ANS REQUIRED JD 8/6/84

BUREAU OF ENGINEERING - BALTIMORE COUNTY, MD

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DR 2 Portion of Lot 36

Beginning for the same on the north side of Sherwood Road distant 860 feet measured westerly from the center of Powers Avenue thence binding on the north side of Sherwood Road the two following courses and distances:

- 1) South 85° 25' 00" West 231.23 feet and
- 2) Southwesterly by a line curving to the south with a radius of 430.00 feet for an arc distance of 26.09 feet (the chord of said arc being South 83° 40' 44" West 26.08 feet) thence
- 3) North 8° 03' 33" West 78.90 feet thence
- 4) North 33° 57' 17" West 120.18 feet to intersect the zone line between DR 2 and RC 4 zones thence binding on said zone line the two following courses and distances:
- 5) North 80° 53' 42" East 45.94 feet and
- 6) North 84° 36' 00" East 250.15 feet thence
- 7) Southeasterly by a line curving to the south with a radius of 401.39 feet for an arc distance of 180.95 feet (the chord of said arc being South 17° 29' 51" East 179.42 feet) thence
- 8) South 40° 25' 00" West 21.21 feet to the place of beginning.

Containing 1.211 Acres of land more or less.

PARCEL B - RC 4 Portion of Lot 36

Beginning for the same on the zone line between DR 2 and RC 4 zones distant 120.18 feet North 33° 57' 17" West and 78.90 feet North 8° 03' 33" West from a point on the north side of Sherwood Road distant 1120 feet measured westerly from the center of Powers Avenue thence:

- 1) North 33° 57' 17" West 47.17 feet thence
- 2) North 56° 40' 26" East 263.95 feet thence
- 3) South 33° 19' 34" East 162.76 feet thence
- 4) Southeasterly by a line curving to the south with a radius of 401.39 feet for an arc distance of 20.42 feet (the chord of said arc being South 31° 52' 08" East 20.41 feet) to the said zone line between DR 2 and RC 4 zones thence binding on said zone line the two following courses and distances:
- 5) South 84° 36' 00" West 258.68 feet and
- 6) South 80° 53' 42" West 43.94 feet to the place of beginning.

Containing 0.689 Acres of land more or less.

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PARCEL C

Beginning for the same on the north side of Sherwood Road distant 1120 feet measured westerly from the center of Powers Avenue thence binding on the north side of Sherwood Road

- 1) Southwesterly by a line curving to the south with a radius of 430.00 feet for an arc distance of 123.42 feet (the chord of said arc being South 73° 43' 06" West 123.00 feet) thence
- 2) North 74° 17' 13" West 45.82 feet thence
- 3) North 51° 42' 47" East 124.41 feet thence
- 4) North 38° 17' 13" West 25.00 feet thence
- 5) North 51° 42' 47" East 24.20 feet thence
- 6) North 33° 57' 17" West 336.86 feet thence
- 7) North 56° 02' 43" East 35.00 feet thence
- 8) South 33° 57' 17" East 374.31 feet and thence
- 9) South 8° 03' 33" East 78.90 feet to the place of beginning.

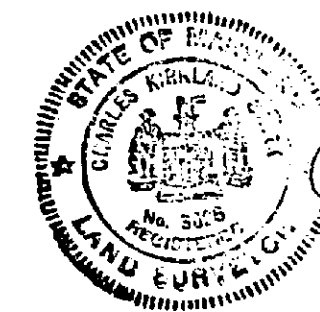
Containing 0.509 Acres of land more or less.

PARCEL D

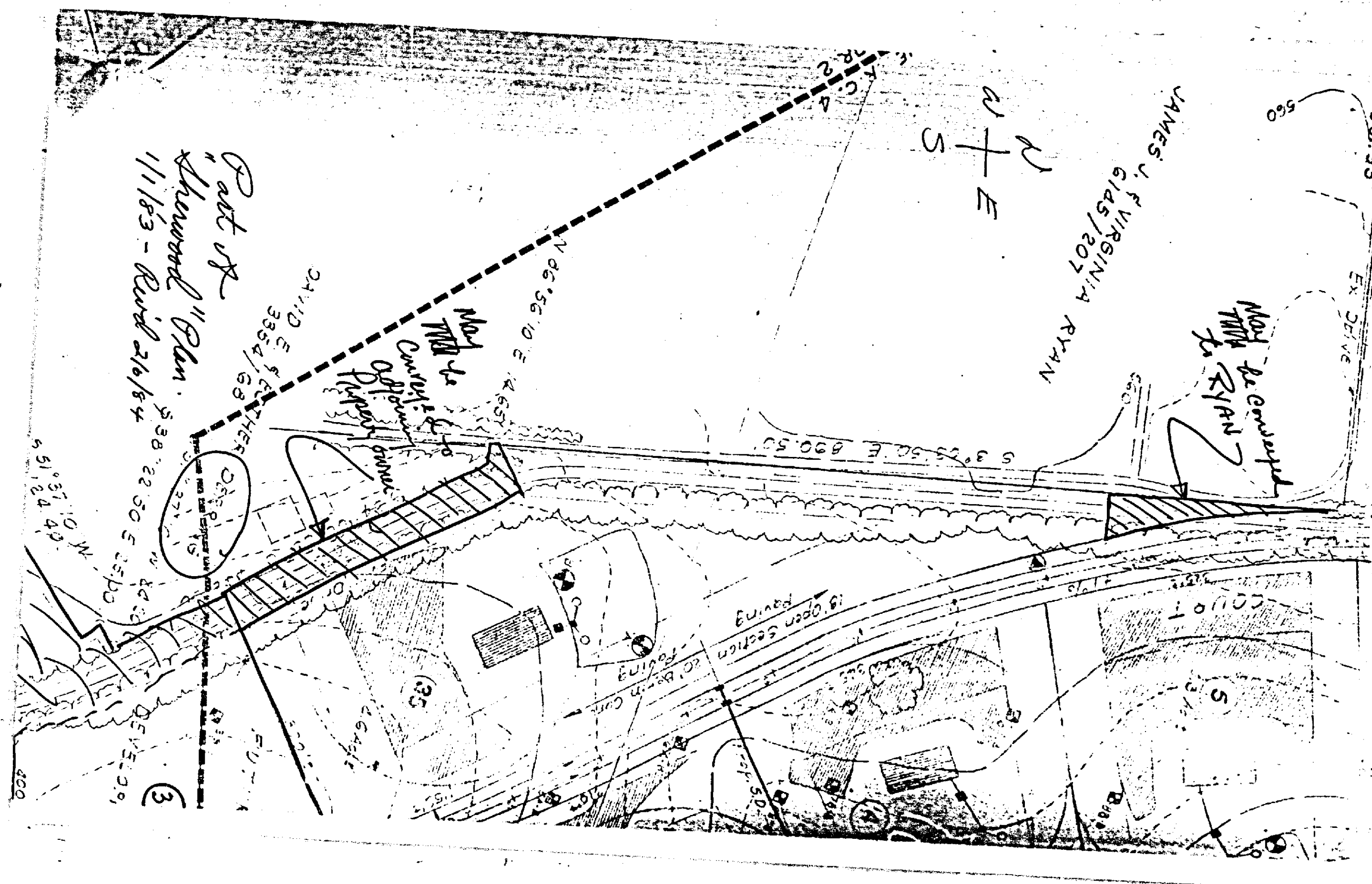
Beginning for the same at a point distant 1458 feet North 3° 00' 25" West from a point on the north side of Sherwood Road distant 1450 feet measured westerly from the center of Powers Avenue thence:

- 1) North 3° 00' 25" West 51.86 feet thence
- 2) Southeasterly by a line curving to the east with a radius of 1075.00 feet for an arc distance of 51.93 feet (the chord of said arc being South 5° 45' 18" East 51.92 feet) thence;
- 3) South 86° 59' 35" West 2.49 feet to the place of beginning.

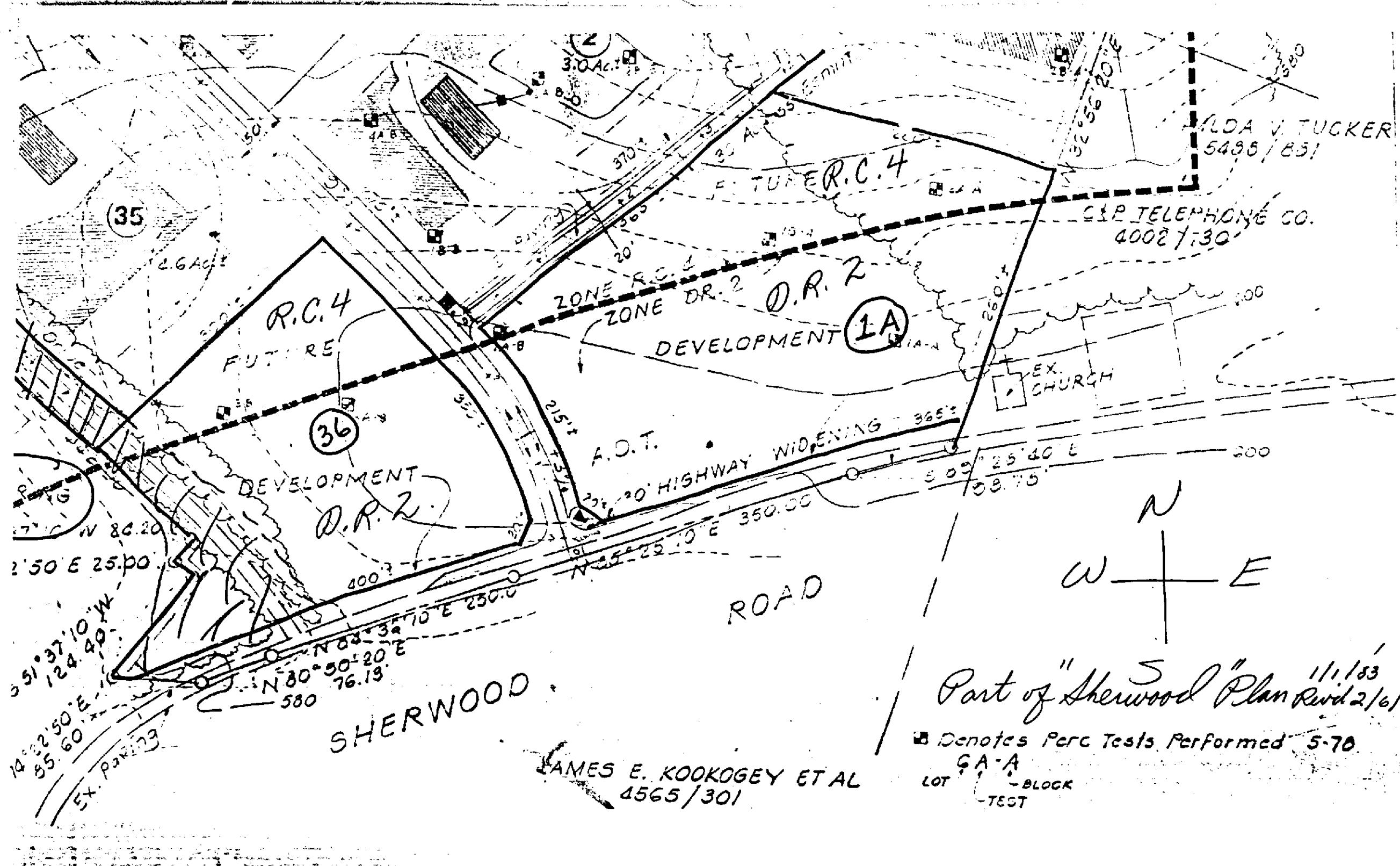
Containing 0.0012 Acres of land more or less.



Charles K. Stark
#3026 Revised May 30, 1984



APR 23 1985



PETITION MAPPING PROGRESS SHEET									
FUNCTION	Wall Map	Original	Duplicate	Tracing	200 Sheet				
	date	by	date	by	date	by	date	by	date
Descriptions checked and outline plotted on map									
Petition number added to outline									
Denied									
Granted by ZC, BA, CC, CA									
Reviewed by: <u>Wan</u>	Revised Plans: Change in outline or description Yes <input type="checkbox"/> No <input type="checkbox"/>								
Previous case: <u>84-343</u>	Map # <u>3D</u>								

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 4 Date of Posting: 7/8/84

Posted for: Petition for Special Hearing

Petitioner: U.S.F. & G.

Location of property: N/S Sherwood Rd., 430' W of the c/l of Powers Avenue

Location of Sign: front of property

Remarks: front of property

Posted by: Wan Date of return: 7/13/84

Number of Signs: 2

CERTIFICATE OF PUBLICATION
85-20-SPH

Towson, Md. 8/20/84

THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper distributed in Towson, Baltimore County, Md., once a week for 1 consecutive weeks, the first publication appearing on the July 11, 1984 day of July 1984.

Cost of Advertisement: \$ 36.04

CERTIFICATE OF PUBLICATION
85-20-SPH

TOWSON, MD., July 5, 1984.

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on July 5, 1984.

THE JEFFERSONIAN,
Publisher

\$28.00

LAW OFFICES
NOLAN, PLUMHOFF & WILLIAMS
CHARTERED
204 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
(301) 823 7800

OF COUNSEL
RALPH E. DEITZ
9026 LIBERTY ROAD
RANDALLSTOWN, MARYLAND 21133
(301) 922 2121

June 15, 1984

HAND DELIVERED

Mr. Carl Richard
Zoning Technician
Baltimore County Office
of Planning & Zoning
County Office Building
Towson, Maryland 21204

Re: Item No. 315 - Petition for
Special Hearing for Sherwood

Dear Mr. Richard:

I am hand delivering herewith for filing in the above-entitled special hearing case the following amended documents:

- Ten copies of the Sherwood Plat, revised 5/30/84; and
- Seven copies of the revised description for Parcel D.

I will appreciate your substituting these revised documents in lieu of the original plats, etc., submitted with the Petition on May 10, 1984.

Additionally, in light of the revised description for Parcel D, I wish to hereby amend the supplemental sheet attached to the Petition by substituting the enclosed sheet as corrected and revised.

Thank you for your kind assistance.

Very truly yours,
Stephen J. Nolan
Stephen J. Nolan

SJN:jka
Enclosures

cc: Mr. Nicholas B. Commodari, Chairman
Zoning Plans Advisory Committee
Mr. Charles K. Stark, P.L.S.
Mr. Richard A. Moore, President
Gaylord Brooks Investment Company

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

July 10, 1984

Stephen J. Nolan, Esquire
204 W. Pennsylvania Avenue
Towson, Maryland 21204

Re: Petition for Special Hearing
N/S Sherwood Rd., 430' W of the c/l of
Powers Avenue
U. S. F. & G. - Petitioner
Case No. 85-20-SPH

Dear Mr. Nolan:

This is to advise you that \$74.04 is due for advertising and posting of the above property.

This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

CASH RECEIPT
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: 7/16/84 ACCOUNT: R-01-615-000

AMOUNT: \$74.04

RECEIVED FROM: Stephen J. Nolan, Esquire

FOR: Advertising and posting Case #85-20-SPH (U. S. F. & G.)

6 103*****7404 2174F

Stephen J. Nolan, Esquire
204 W. Pennsylvania Avenue
Towson, Maryland 21204

NOTICE OF HEARING
Re: Petition for Special Hearing
N/S Sherwood Rd., 430' W of the c/l of
Powers Avenue
U. S. F. & G. - Petitioner
Case No. 85-20-SPH

TIME: 11:30 A.M.

DATE: Monday, July 23, 1984

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: 5/10/84 ACCOUNT: 01-615-000

AMOUNT: 100.00

RECEIVED FROM: Nolan, Plunhoff & Williams

FOR: File # 315

6 107*****10000 5114A

PETITION FOR SPECIAL HEARING
8th Election District
Petition for Special Hearing

LOCATION: North side Sherwood Road, 430 ft. West of the centerline of Powers Avenue

DATE & TIME: Monday, July 23, 1984 at 11:30 A.M.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

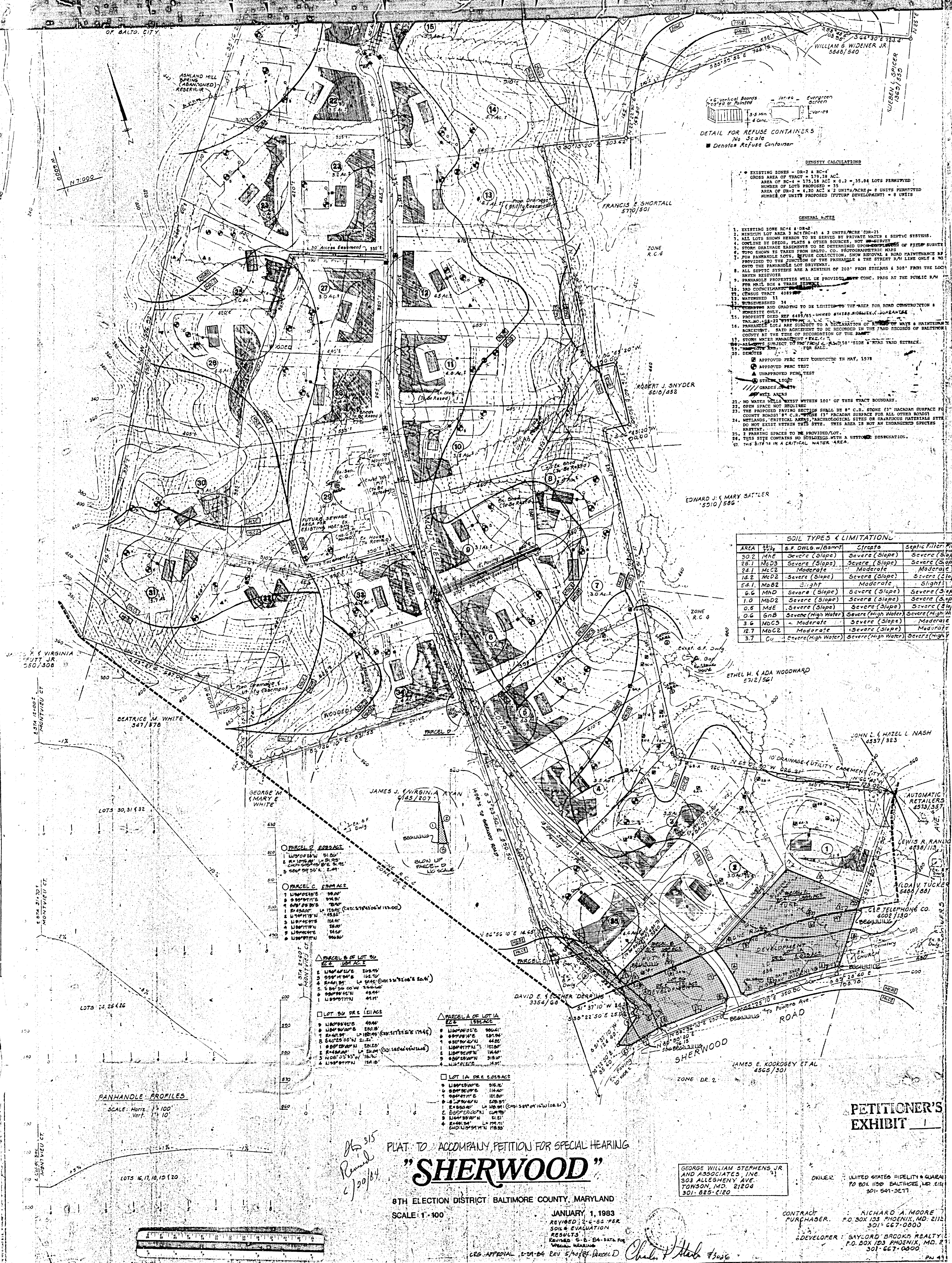
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

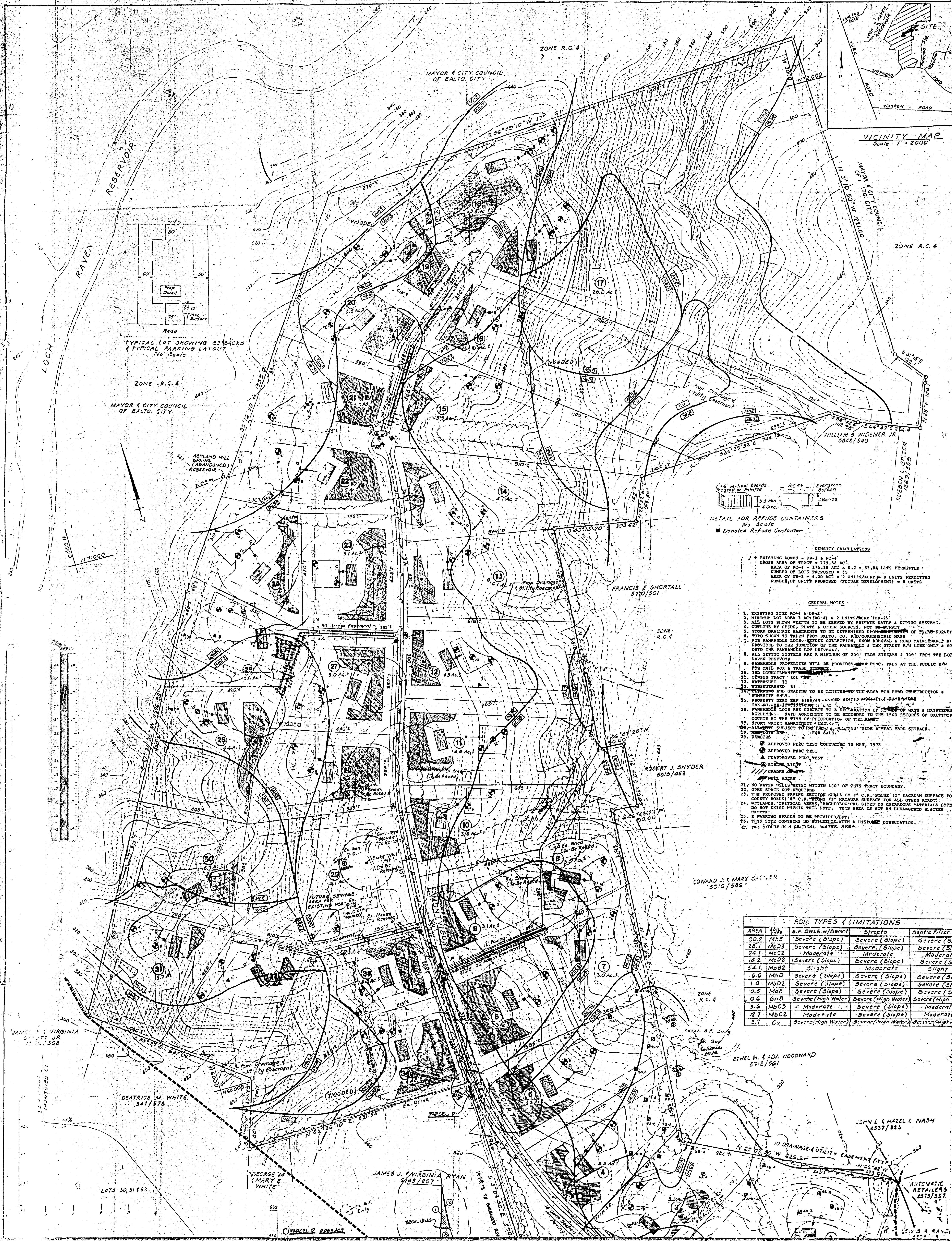
Petition for Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve Parcels A & B on the plat entitled "Sherwood" to be conveyed as part of Lots 1A and 36, respectively, and to permit Parcel C to be conveyed to David E. and Esther Derring and to permit Parcel D to be conveyed to Estate of Beatrice M. White, with the understanding that all aforementioned parcels have been utilized as far as density is concerned and may not be considered as separate building lots. Parcels A & B may be utilized for septic system purposes and yard area only for Lots 1A and 36, respectively.

Being the property of United States Fidelity and Guaranty Co., as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY





VICINITY MAP
Scale: 1" = 2000'

TYPICAL LOT SHOWING SETBACKS
(TYPICAL PARKING LAYOUT)
No Scale

DETAIL FOR REFUSE CONTAINERS
No Scale
■ Denotes Refuse Container

DENSITY CALCULATIONS
• EXISTING ZONES - DR-2 & RC-4
• GROSS AREA OF TRACT = 179.38 AC.
• AREA OF RC-4 = 175.18 AC. x 0.2 = 35.04 LOTS PERMITTED
• NUMBER OF LOTS PROPOSED = 35
• AREA OF DR-2 = 4.20 AC. x 2 UNITS/ACRE = 8 UNITS PERMITTED
• NUMBER OF UNITS PROPOSED (FUTURE DEVELOPMENT) = 8 UNITS

- GENERAL NOTES
1. EXISTING ZONE RC-4 & DR-2
 2. MINIMUM LOT AREA 3 AC (RC-4) & 2 UNITS/ACRE (DR-2)
 3. ALL LOTS SHOWN HEREIN TO BE SERVED BY PRIVATE WATER & SEPTIC SYSTEMS.
 4. CONVEY BY DEED, PLATS & OTHER SOURCES, NOT INCLUDING
 5. STORM DRAINAGE EASEMENTS TO BE DETERMINED UPON COMPLETION OF P.E. SURVEYS.
 6. TOPO SHOWN IS TAKEN FROM BALTO. CO. PHOTOAERIAL MAPS
 7. FOR FURNISHING LOTS, REFUSE COLLECTION, SNOW REMOVAL & ROAD MAINTENANCE, APL PROVIDED TO THE JUNCTION OF THE PAINHALL & THE STREET RAIL LINE ONLY & NOT ONTO THE PAINHALL LOT DRIVEWAY.
 8. ALL SEPTIC SYSTEMS ARE A MINIMUM OF 200' FROM STREAMS & 300' FROM THE LOCH RAVEN RESERVOIR
 9. PAINHALL PROPERTIES WILL BE PROVIDED WATER CONC. PADS AT THE PUBLIC R/W FOR MAIL BOX & TRASH SERVICE
 10. 3RD CONCILIANT
 11. CENSUS TRACT 401
 12. WATERSHED 11
 13. WATERSHED 31
 14. EXISTING AND GRADING TO BE LIMITED TO THE AREA FOR ROAD CONSTRUCTION & RESURFACING ONLY.
 15. PROPERTY DEED REF 61345-UNITED STATES MORTGAGE GUARANTEE TRUST CO. OF MD. 2/25/1977
 16. PAINHALL LOTS ARE SUBJECT TO A DECLARATION OF THE CITY OF BALTO. & BALTO. COUNTY BOARD OF PUBLIC WORKS AS TO THE RECORDS OF BALTO. COUNTY AT THE TIME OF RECORDATION OF THE MAP.
 17. STORM WATER MANAGEMENT - EX. 1
 18. ALL LOTS SUBJECT TO THE 100' x 50' SIDE & REAR YARD SETBACK.
 19. 100' YARD SETBACK FOR SALE
 20. DEMOTES
 21. APPROVED PERC TEST CONDUCTED IN MAY, 1974
 22. UNAPPROVED PERC TEST
 23. UNAPPROVED PERC TEST
 24. STORM DRAINAGE
 25. GRADES OR SETBACKS
 26. WATER ADJACENT
 27. NO WATER WELLS WITHIN 100' OF THIS TRACT BOUNDARY.
 28. OPEN SPACE NOT REQUIRED
 29. THE PROPOSED PAVING SECTION SHALL BE 4" C.R. STONE (3" MAXIMUM SURFACE FOR COUNTY ROAD) & 4" C.R. STONE (3" MAXIMUM SURFACE FOR ALL OTHER ROADS).
 30. WETLANDS, CRITICAL AREAS, ARCHEOLOGICAL SITES OR HAZARDOUS MATERIALS SITES DO NOT EXIST WITHIN THIS SITE. THIS AREA IS NOT AN ENDANGERED GLACIAL HABITAT.
 31. 2 PARKING SPACES TO BE PROVIDED/LOT.
 32. THIS SITE CONTAINS NO DRILLINGS WITH A HISTORIC DESIGNATION.
 33. THIS SITE IS IN A CRITICAL WATER AREA.

SOIL TYPES & LIMITATIONS				
AREA	Soil Type	S.F. DWLG. w/BSMT	Septic Filter	Septic Filter
30.2	MbE	Severe (Slope)	Severe (Slope)	Severe (Slope)
28.1	MbD3	Severe (Slope)	Severe (Slope)	Severe (Slope)
24.1	MbC2	Moderate	Moderate	Moderate
12.2	MbD2	Severe (Slope)	Severe (Slope)	Severe (Slope)
54.1	MbB2	Slight	Moderate	Slight
6.6	MbD	Severe (Slope)	Severe (Slope)	Severe (Slope)
1.0	MbD2	Severe (Slope)	Severe (Slope)	Severe (Slope)
0.6	MbE	Severe (Slope)	Severe (Slope)	Severe (Slope)
0.6	GnB	Severe (High Water)	Severe (High Water)	Severe (High Water)
3.6	MbC3	Moderate	Severe (Slope)	Moderate
12.7	MbC2	Moderate	Severe (Slope)	Moderate
3.7	Cu	Severe (High Water)	Severe (High Water)	Severe (High Water)